

Dale M. Cendali
Claudia Ray
Brendan T. Kehoe
KIRKLAND & ELLIS LLP
601 Lexington Avenue
New York, NY 10022
Tel: (212) 446-4800
Fax: (212) 446-4900

Michael F. Williams
KIRKLAND & ELLIS LLP
655 15th Street, NW
Washington, DC 20005
Tel: (202) 879-5000
Fax: (202) 879-5200

Attorneys for The Associated Press

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

SHEPARD FAIREY and OBEY GIANT
ART, INC.,

Plaintiffs,

v.

THE ASSOCIATED PRESS,

Defendant and Counterclaim
Plaintiff,

v.

SHEPARD FAIREY, et al.,

Counterclaim Defendants

Case No.: 09 CIV 01123 (AKH)

ECF CASE

NOTICE OF MOTION

**THE ASSOCIATED PRESS'S
NOTICE OF MOTION FOR SUMMARY JUDGMENT**

PLEASE TAKE NOTICE that, upon the accompanying Declarations of Ken Dale, James Gerberich, Farah DeGrave, John David Ake, and Brendan T. Kehoe, Esq., each of which was declared to on January 6, 2011, and the accompanying memorandum of law in support of the Associated Press's ("AP") motion for summary judgment, the undersigned will move before the

Honorable Judge Alvin K. Hellerstein, Judge of the United States District Court for the Southern District of New York, at the United States District Courthouse, located at 500 Pearl Street, New York, NY 10007, at a time and place to be scheduled by this Court, for an order granting AP's motion for summary judgment.

Respectfully submitted,

Dated: January 06, 2011

/s/Dale M. Cendali

Dale M. Cendali
Claudia Ray
Brendan T. Kehoe

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New York, NY 10022
Tel: (212) 446-4800
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Email: dale.cendali@kirkland.com
claudia.ray@kirkland.com
brendan.kehoe@kirkland.com

Michael F. Williams
KIRKLAND & ELLIS LLP
655 15th Street, NW
Washington, DC 20005
Tel: (202) 879-5000
Fax: (202) 879-5200
Email: michael.williams@kirkland.com

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